

C-05 0355

FILED

MAY 4 2005

LANCASTER COUNTY CLERK

COOPERATIVE AGREEMENT

BETWEEN

CITY OF LINCOLN, NEBRASKA

COUNTY OF LANCASTER, NEBRASKA

AND

LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT

This Cooperative Agreement ("Agreement") made and entered into by and between the City of Lincoln, Nebraska ("City"), County of Lancaster, Nebraska ("County") and Lower Platte South Natural Resources District ("District").

WITNESSETH:

RECITALS

- A. City is a municipal corporation and pursuant to *Neb. Rev. Stat.* §15-201 has the authority to make all contracts and do all other acts in relation to the property and concerns of the City necessary to the exercise of its corporate powers.
- B. District is a political subdivision of the State of Nebraska and pursuant to *Neb. Rev. Stat.* §2-3235(1), has the authority to cooperate with or enter into an agreement with any agency, governmental or otherwise, for carrying out the projects for the benefit of the District as authorized by §§2-3201 to 2-3257 subject to such conditions as the board may deem necessary to advance the purposes of such sections.
- C. District, pursuant to *Neb. Rev. Stat.* §2-3229, has the authority, among others, to develop and execute plans, facilities, works and programs relating to "(6) development, management, utilization, and conservation of ground water and surface water; (11) development and management of recreational and park facilities, and (12) forestry and range management".
- D. County owns Wilderness Park and has an agreement with the City to develop, operate and maintain Wilderness Park.
- E. City and District desire to enter into this Agreement for the purpose of restoring wetlands in Wilderness Park.

NOW THEREFORE, in consideration of the above recitals and the mutual promises and covenants contained herein, the parties agree as follows:

1. District agrees to cooperate and share in the cost with the City to restore the wetlands in Wilderness Park.
2. The wetlands are located as shown on Exhibit A attached.
3. District will contribute up to 50% of the cost for engineering services with the District's share not to exceed \$5,000.
4. District agrees to contribute up to 50% of the cost for construction of the wetland restoration up to \$22,500, and 100% of an additional \$12,500 with the District's share not to exceed \$35,000.
5. City agrees to cooperate and share in the cost with the District to restore the wetlands in Wilderness Park.
6. City agrees to contribute up to 50% of the cost for engineering services with the City's share not to exceed \$5,000 and 50% of the cost for construction to restore the wetlands up to \$22,500 with the City's share for construction not to exceed \$22,500.
7. City and District contemplate further wetland restorations and natural area enhancements within Wilderness Park and will cooperate and share in the cost to do so as funds become available with the terms and sites included in an addendum to this Agreement.
8. This agreement shall expire in 2010 unless both parties agree to an extension.
9. The County joins this Cooperative Agreement for the sole purpose of approving the plan of development of the restoration of the wetlands in Wilderness Park, pursuant to an Agreement between the County of Lancaster and the City of Lincoln dated August 4, 1966.

IN WITNESS WHEREOF, the parties have duly executed this Agreement on the date below the signature

CITY OF LINCOLN

By: _____

Date: _____

LOWER PLATTE SOUTH NATURAL
RESOURCES DISTRICT

By: _____

Glenn D. Johnson, General Manager

Date: _____

April 22, 2005

LANCASTER COUNTY

By: _____

Date: _____

May 10, 2005

Executed by the County of Lancaster in accordance
with Paragraph 9, for the sole purpose of approving
the plan of development.

Exhibit A: Wilderness Park Wetlands

